IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 13TH MARCH 2007 / 22ND PHALGUNA 1928

Bail Appl..No. 1581 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.750/2007 Dated 15/02/2007

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PETITIONER/ACCUSED NO.1

THANKACHAN,S/O.KOCHUKUNJU,AGED 53 YEARS,
PARIYARAMKOTTA,THURUTHIKKADU,KALLOOPPARA,
PATHANAMTHITTA DISTRICT.

BY ADV. SRI.P.B.ASOKAN

RESPONDENTS: RESPONDENT/COMPLAINANT

STATE OF KERALA,REPRESENTED BY PUBLIC
PROSECUTOR,HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 1581 of 2007

DATED: 13-03- 2007

O R D E R

Petitioner who is the first accused in Crime No. 19/2007 of Keezhvaipoor Police Station for offences punishable under Sections 452, 341 and 324 and 326 read with Sec. 34 I.P.C., seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. The case of the prosecution is that at about 4.30 p.m. on 16-1-2007, the accused persons criminally trespassed upon the saw mill where the de facto complainant is an employee and assaulted him and another employee with deadly weapons like iron rod etc. causing fracture to the leg of the de facto complainant.

4. Even though anticipatory bail cannot be granted in a case of this nature, I am inclined to permit the petitioner to surrender before the Investigating Officer and then to have his application for regular bail ordered by the Magistrate concerned. Accordingly, the petitioner shall surrender before the Investigating Officer on any day between 20-3-2007 and 22-3-2007 for the purpose of custodial interrogation. Thereafter, the petitioner shall be produced on the same day before the Magistrate having jurisdiction who shall release the petitioner on bail on appropriate conditions.

This petition is disposed of as above.

V.RAMKUMAR, JUDGE

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